

**GEORGIA STATE BOARD OF DISPENSING OPTICIANS**  
**Board Meeting November 9, 2005**

A meeting of the Georgia State Board of Dispensing Opticians was held on Wednesday, November 9, 2005 in Room 102 of the Secretary of State, Professional Licensing Boards Division Office in Macon, Georgia.

**The following Board members were present:**

Glenn Morris, Chairman  
Steve Sanford, Vice Chair  
Diane Drake  
Thomas Schulz

Absent: David F. Meldrum

**Others Present:**

Brig Zimmerman, Executive Director  
Pamela Candler, Board Secretary  
Kathy Harvey, Enforcement Department  
Devony Sanford, Computer Services

Serena Gadson, Apps. Specialist  
Wylencia Monroe, Board Attorney  
Kim McKay, Supervisor, Computer

Chairman Morris established that a quorum was present, and the meeting was called to order at 10:05 a.m.

**Agenda:** Ms. Drake moved and Mr. Sanford seconded and the Agenda was approved.

**Minutes:** Mr. Schulz moved and Mr. Sanford seconded and the August 10, 2005 Meeting Minutes were approved as amended.

**House Bill 881:** The Board discussed the pending house bill and voted to consider drafting a letter of their concerns to the Legislature.

**SOS/PLB IT Department: [www.galicensing.org](http://www.galicensing.org) presentation:**

Ms. McKay demonstrated the new website and its capabilities to the Board Members. She showed how applicants can enter the site and track their applications, download forms and view the frequently asked questions for each of the boards. Mr. Schulz asked why the Internet Technology Department had not developed "fillable" forms and Ms. McKay said she would follow up with the I.T. Department in Atlanta..

*Mr. Sanford moved and Ms. Drake seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-2(k)(1)(2), O.C.G.A. §43-1-19(H)(2)&(4) and O.C.G.A. §43-1-2(k)(4) to deliberate on applications, investigations report and the Cognizant Report and to receive information on applications, investigations report and the Cognizant Report. Voting in favor of the motion were those present who included*

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*Board Members Drake, Morris, Sanford and Schulz. The Board concluded Executive Session in order to vote on these matters and to continue with the public session.*

**Official Statement/Rationale for Kirkland McGhee on Rule Change 420-8-.01**

Mr. Sanford moved and Ms. Drake seconded and the Board voted to respond in writing to Mr. McGhee on his queries concerning Rule Change 420-8-.01.

**2006 Board Meeting Dates:**

The Board approved the following meeting dates for 2006:

February 15, 2006

May 17, 2006

August 23, 2006

November 15, 2006

**National Committee of State Opticianry Regulatory Boards Annual Conf.:**

As a direct result of Hurricane Katrina and the subsequent flooding in New Orleans, this meeting was rescheduled from October 22, 2005 to January 27-28, 2006. Representing Georgia will be Messrs. Morris and Sanford with Ms. Drake as the alternate.

**Rule Change Discussion on Rule 420-9-.01**

Mr. Zimmerman presented a draft copy of proposed changes to Rule 420-9-.01 on Continuing Education for License Renewals.

Ms. Drake moved and Mr. Schulz seconded and the Board voted that the formulation and adoption of Rule 420-9-.01 does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of Official Code of Georgia Annotated §§43-29-3, 43-29-6 and 43-29-11.

Mr. Sanford moved and Ms. Drake seconded and the Board voted that it is not legal or reasonable to meet the objectives of O.C.G.A. §§43-29-3; 43-29-6 and 43-29-11 to adopt or implement differing actions for businesses listed at O.C.G.A. §50-13-4(3)(a), (b), (c) and (d) and that the formulation and adoption of Rule 420-9-.01 will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of dispensing opticians.

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After discussion and consideration of the rule change, Mr. Sanford moved and Ms. Drake seconded and the Board voted to post the following proposed Rule Change on 420-9-.01 in accordance with 50-13-4(a)(1) as posted.

**420-9-.01 Continuing Education for License Renewals ~~in March, 1985 and~~  
~~Renewal Years Thereafter.~~ Amended**

Continuing Education courses totaling at least ten (10) hours shall be required for the biennial renewal of licenses, ~~beginning with licenses to be renewed by March 31, 1985, and with each biennial renewal period thereafter.~~ Of the ten (10) hours, a minimum of two (2) hours shall be in the area of contact lenses. Of the ten (10) hours, no more than two (2) hours may be obtained via the internet.

(a) The method of reporting continuing education shall be by audit as follows:

1. Each licensed dispensing optician shall be responsible for maintaining certificates of attendance (and supporting documents as appropriate) for continuing education courses taken to satisfy the requirements for continuing education for a period of four (4) years from the date of attendance;
2. The staff of the State Examining Boards shall audit the continuing education of a percentage of licensees for compliance with all rules and regulations. This percentage shall not exceed 20% of the licensed opticians, randomly selected, in the State per biennium;
3. At the time of license renewal, licensed dispensing opticians shall certify to the Georgia State Board of Dispensing Opticians that he/she has completed the continuing education required for license renewal;
4. In the event a licensee, who is audited, fails to submit certificates of continuing education, or other documentation, of having satisfied the continuing education requirements for license renewal, the application for renewal will not be processed until all continuing education requirements are met; and
5. A licensee who fails to meet the continuing education requirements shall be subject to disciplinary actions by the Board.

**Authority O.C.G.A. §§ 43-29-3, 43-29-6, 43-29-11.**

**Correspondence:**

Mr. Zimmerman explained that other Boards use a standard letter referring to the rules and laws that they send out when they receive scope of practice inquiries, asking if the Board would agree to a similar policy for staff to respond to inquiries. Ms. Monroe stated that referrals need to be made to O.C.G.A. § 43-29-2 and Rules 420-6-.01 and 420-4-.01.

**Enforcement Department – Kathy Harvey:**

- **Said Almmmed, Case No. DISP050011:** Ms. Drake moved and Mr. Schulz seconded and the Board voted to accept the Cease and Desist Order.
- **Case No. DISP050012** Mr. Schulz moved and Ms. Sanford seconded and the Board voted to close this case.

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- **Case No. DISP050013** Mr. Sanford moved and Mr. Schulz seconded and the Board voted to close this case.
- **Case No. DISP050014** Ms. Drake moved and Mr. Schulz seconded and the Board voted to close this case.

**Applications – Serena Gadson**

**Mr. Schulz moved and Mr. Sanford seconded and the Board voted to take the following action on Licensure Reinstatements:**

HARMS, Linda May	Approved
McELMURRAY, Michael B. Jr.	Approved
SALLE, Herman Joseph	Approved
SPEARMAN, Lisa B.	Approved
SU XUAN, N.	Approved
WEST, Kimberly Dawn	Approved

**Ratify list of newly issued licenses:** Ms. Drake made a motion, Mr. Schulz seconded and the Board voted to **ratify** the newly issued licenses.

License No.	Name	License Type
<b>NEWLY ISSUED LICENSES</b>		
LDO002049	BATES, Kimberly Lynn	Dispensing Optician
LDO002050	ATTOMS, David Eric	Dispensing Optician
LDO002051	BOSS, Debra J.	Dispensing Optician
LDO002052	BRYANT, Melanie Gaye	Dispensing Optician
LDO002053	CAIN, Krista Meredith	Dispensing Optician
LDO002054	CARR, Nancy L.	Dispensing Optician
LDO002055	ESSANI, Amir Ali	Dispensing Optician
LDO002056	GARCIA, Yolanda L.	Dispensing Optician
LDO002057	HUNTER, Gwendilynn K	Dispensing Optician
LDO002058	KLEINMAN, Barbara Ann	Dispensing Optician
LDO002059	McDONALD, Nyshanta S	Dispensing Optician
LDO002060	McMAINS, Sean William	Dispensing Optician
LDO002061	MORROW, Rex Matthew	Dispensing Optician
LDO002062	NGUYEN, Oanh Thi Chau	Dispensing Optician
LDO002063	PATE, Vicki M	Dispensing Optician
LDO002064	PEELE, Pamela Lorraine	Dispensing Optician
LDO002065	PERKINS, Laura Partridge	Dispensing Optician
LDO002066	SALYERS, Patricia Ann	Dispensing Optician
LDO002067	STEVENS, Richard Allen	Dispensing Optician
LDO002068	WHITLEY, Roland Anthony	Dispensing Optician

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LDO002069	SULLIVAN, Keisha Nicole	Dispensing Optician
LDO002070	TAYLOR, Stephanie Michelle	Dispensing Optician
LDO002071	THOMAS, Carvin S.	Dispensing Optician
LDO002072	THOMASSON, Sally June	Dispensing Optician
LDO002073	TURNER, Jean R.	Dispensing Optician
LDO002074	WADDELL, Stephanie Elaine	Dispensing Optician
LDO002075	WARE, Java A.	Dispensing Optician
LDO002076	WEATHERS, Andrea Jill	Dispensing Optician
LDO002077	WEISER, Todd E.	Dispensing Optician
LDO002078	WILLIAMS, Joseph	Dispensing Optician
LDO002079	WORLEY, Jennifer Woodbury	Dispensing Optician
LDO002080	HILL, Salena J.	Dispensing Optician
LDO002081	DARBY, Sandi A.	Dispensing Optician
LDO002082	RUSSELL, Shonta R.	Dispensing Optician
	<b>Reinstatements</b>	
LDO000506	McCOLLUM, Billy F.	Dispensing Optician
LDO000606	KURNIK, Gerald S.	Dispensing Optician
LDO000964	DENHAM, Edward Terrell III	Dispensing Optician
LDO001028	CUPP, Wayne Reginald	Dispensing Optician
LDO001497	PULLIAM, Elaine H.	Dispensing Optician
LDO001902	SMITH, Tammi K.	Dispensing Optician
LDO001976	KRICHEVSKIY, Yurly L.	Dispensing Optician
LDO001900	YARBOROUGH, Arlon D.	Dispensing Optician
LDO001437	PRINCE, Faby Vallejo	Dispensing Optician
LDO001952	HOLT, Nancy Lynn	Dispensing Optician
LDO001301	HOLCOMB, Jack J.	Dispensing Optician
LDO001516	MOORE, Pamela F.	Dispensing Optician
LDO001986	STEWART, Wade Paul	Dispensing Optician

**Cognizant Report – Diane Drake**

- **Case No. DISP060017:** Refer to Attorney General for advice and further action
- **Case No DISP060018:** Close with letter stating that there was insufficient evidence to pursue

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**Attorney General Report – Wylencia Monroe**

- No report at this time

**Board Policy Discussion:**

Ms. Drake moved and Mr. Schulz seconded and the Board voted as policy, that Allied Health Fields administrative staff may issue a license without Board Review on all applications where a Driving under the Influence of Alcohol charge is greater than five years old.

Ms. Drake moved and Mr. Sanford seconded and the Board voted as policy, that Allied Health Fields administrative staff be allowed to respond to *general* inquiries with regard to scope of practice via a standardized letter referring the inquirer to the O.C.G.A. § 43-29-2 and Board Rules 420-6-.01 and 420-4-.01 for clarification.

There being no further business to come before the Board, the meeting was adjourned at 2:15 P.M.

**Minutes recorded by:** Pam Candler, Board Secretary  
**Minutes reviewed and edited by:** Brig Zimmerman, Executive Director

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Glenn Morris  
Board Chairman  
Date Approved: \_\_\_\_\_

\_\_\_\_\_  
Mollie L. Fleeman  
Division Director  
Date: \_\_\_\_\_